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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ryozo NAGAI et al.

Group Art Unit : 1611

Appl. No. : 10/598,275

Examiner : Charlesworth RAE

I. A. Filed : February 24, 2005

Confirmation No. : 2170

For : MEDICINE CAPABLE OF INHIBITING ACTIVATION OF
TRANSCRIPTION FACTOR KLF5

RECORD OF INTERVIEW

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

Applicants express appreciation for the courtesies extended by Supervisory Patent Examiner (SPE) Landau during a June 24, 2009 telephone interview with Applicants' representative Sean Myers-Payne regarding the above-identified application.

During the telephone call, Applicants' representative informed SPE Landau that Examiner Rae indicated in a March 5, 2009 interview that he would be amenable to examining withdrawn method claims if Applicants were to file a Request for Continued Examination (RCE) and cancel all claims directed to the elected subject matter, i.e., product claims. Applicants' representative further informed SPE Landau that Applicants subsequently filed an RCE, along with an amendment in which product claims 3-6, 8, 7-19, and 21 were cancelled, and previously presented method claims 22-32 were retained. Applicants' representative then informed SPE Landau that in response, Applicants received a Notice of Non-responsive Amendment. In the Notice, the Examiner held that Applicants' amendment was not fully responsive because the

amendment cancelled all claims drawn to the elected composition and presented only claims drawn to a non-elected invention (method of use).

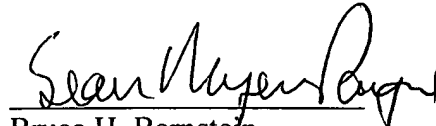
SPE Landau indicated that she would speak with Examiner Rae and that if Examiner Rae did indicate that he would examine method claims if accompanied by an RCE, then the Notice of Non-responsive Amendment should be vacated, and the Examiner should consider the method claims. An Interview Summary issued by the U.S. Patent and Trademark Office July 2, 2009 indicates that the Notice of Non-responsive Amendment dated June 9, 2009 will be vacated in light of Applicants' conversation with the Examiner.

Accordingly, Applicants believe no further response is due at this time, and look forward to receipt of the next official communication from the U.S. Patent and Trademark Office in due course.

Authorization is hereby provided to charge any fee necessary for entry of this paper and/or to maintain the pendency of the application to Deposit Account No. 19-0089.

Should the Examiner have any questions, the Examiner is requested to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Ryozo NAGAI et al.



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42,920

July 22, 2009
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